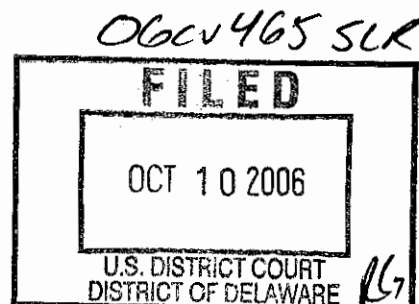


To Clerk of Court
RE: CLARK - V - FIRST CORRECTIONAL MEDICAL ET AL
CORRECTIONAL MEDICAL SYSTEMS I
Civil Act: 06-465 - S.D.R. Judge Sue L. Robinson.
- Judge Mrs SUE L. ROBINSON.

Dear Sir I just want to amend
it so it will be ready when I go to trial.

Thank You!

Sincerely
Angelica Clark
12320977



Scanned

DCC Delaware Correctional Center
Smyrna Landing Road
SMYRNA DE, 19977
Phone No. 302-653-9261

Date: 07/25/2006

044

GRIEVANCE REPORT**OFFENDER GRIEVANCE INFORMATION**

Offender Name : CLARK, ANGELO L	SBI# : 00123209	Institution : DCC
Grievance # : 54703	Grievance Date : 06/30/2006	Category : Individual
Status : Unresolved	Resolution Status :	Resol. Date :
Grievance Type: Medical Staff	Incident Date : 06/30/2006	Incident Time : 19:00
IGC : Merson, Lise M	Housing Location : Bldg 23, Upper, Tier C, Cell 4, Bottom	

OFFENDER GRIEVANCE DETAILS

Description of Complaint: Inmate claims: (Verbatim) Nurse "Quannie" Neal, was dispensing med's on-C-pod chronic care unit, and she gave me too much blood pressure med's to kill a horse, and she did the same thing Tuesday evening and I consulted, Mr Finney and he told me the problem was resolved, and I even told Nurse Becky about Quannie Neal Inadequate Behavior. C/O Reggie White slammed the cell door in my face, He said they were in a hurry.

Remedy Requested : I've repeatedly has told medical staff about Mrs Neal not professional attitude. I fear for my life

INDIVIDUALS INVOLVED

Type	SBI #	Name
------	-------	------

ADDITIONAL GRIEVANCE INFORMATION

Medical Grievance : YES	Date Received by Medical Unit : 07/25/2006
Investigation Sent : 07/25/2006	Investigation Sent To : Rodweller, Deborah
Grievance Amount :	

Smyrna Landing Road
SMYRNA DE, 19977
Phone No. 302-653-9261

INFORMAL RESOLUTION

OFFENDER GRIEVANCE INFORMATION

Offender Name : CLARK, ANGELO L	SBI# : 00123209	Institution : DCC
Grievance # : 54703	Grievance Date : 06/30/2006	Category : Individual
Status : Unresolved	Resolution Status:	Inmate Status :
Grievance Type: Medical Staff	Incident Date : 06/30/2006	Incident Time : 19:00
IGC : Merson, Lise M	Housing Location : Bldg 23, Upper, Tier C, Cell 4, Bottom	

INFORMAL RESOLUTION

Investigator Name : Rodweller, Deborah Date of Report 07/25/2006
Investigation Report :
Reason for Referring:

Offender's Signature: _____

Date : _____

Witness (Officer) : _____

FORM #585

MEDICAL GRIEVANCE

B10

FACILITY:

D.C.C.

DATE SUBMITTED:

2-6-06

INMATE'S NAME:

ANGELO LEE CLARK

SBI#:

123209

HOUSING UNIT:

Bldg #14 - 5Ha - B-K-10 cell

CASE #:

SECTION #1

DATE & TIME OF MEDICAL INCIDENT:

2-6-06

TYPE OF MEDICAL PROBLEM:

I INMATE, ANGELO LEE CLARK, STARTED HAVING CHEST PAINS, AND ALL AT THE SAME TIME MY HEAD, STARTED WITH SUCH PAIN THAT I THOUGHT MY HEAD WAS GOING TO BLow UP, AND IT. THE CHEST PAIN AND HEAD WAS GOING ON FOR SEVERAL HOURS, AND GUANNIE CAME ON AT 4:00 P.M. I TOLD HER HOW I WAS FEELING AND AT THE SAME TIME ASKED HER WHERE IS MY MEDICAL, AND INCIDENT REPORT PAPERS WERE AT, AND SHE TOLD ME I HAD TO WAIT, SO I RETURNED TO MY INMATE'S (ANGELO LEE CLARK) DATE: 2-6-06

ACTION REQUESTED BY GRIEVANT:

PERSONALLY I FEEL AS THOUGH THE NURSES THAT WORK FOR C.M.S THE MEDICAL PROVIDER, ARE TRYING TO POISON ME. AND I FEAR FOR MY LIFE. I'M GOING TO SEND A COPY TO LAWYER, AND RUTH ANN MINNERY, AND BOARD CHIEF.

DATE RECEIVED BY MEDICAL UNIT:

NOTE: EMERGENCY MEDICAL CONDITIONS WILL TAKE PRIORITY. OTHERWISE, MEDICAL GRIEVANCES WILL BE ADDRESSED AT THE WEEKLY MEDICAL COMMITTEE MEETING.

RECEIVED

FEB 13 2006

Inmate Grievance Office

Instructions for Submitting a Regular Grievance

Inmates are required, per DOC Procedure 4.4 [Inmate Grievance Procedure] to attempt to resolve complaints prior to filing a regular grievance. Grievances are to be submitted within seven (7) days from the date of the occurrence or incident or within seven days after the inmate became aware of the incident. The grievance is to be placed in the grievance box located in each housing unit.

Only one issue per grievance form will be addressed. If the grievance is submitted on a weekend or a holiday, it will be received during the next working day.

Return of Unprocessed Grievance

Intake Action: This Grievance Form is being returned to the inmate under the provisions outlined in DOV Procedure 4.4 "Inmate Grievance Procedure" for the following reason(s) :

- ☐ **Vulgar/Abusive or Threatening Language.** The Language that is unacceptable has been highlighted. The grievance may be resubmitted omitting this language.
- ☐ **Non-Grievable.** This issue has been defined as non-grievable in accordance with DOC Policy 4.4. These procedures have their own appeal process that must be followed.
- ☐ **Disciplinary Action** ☐ **Parole Decision** ☐ **Classification Action**
- ☐ **Request.** Requests are not processed through the grievance procedure. Please correspond with the appropriate Office to secure the information that is requested.
- ☐ **Duplicate Grievance(s).** This issue has been addressed previously in Grievance # _____.
- ☐ **Original Grievances must be submitted to the Inmate Grievance Chairperson.** Photocopies are not accepted.
- ☐ **Inquiry on behalf of other inmates.** Inmates cannot submit grievances for other inmates.
- ☐ **Expired Filing period.** Grievance exceeds seven (7) days from date of occurrence.

*you have not made a request.
you have use the action requested
area to continue your statement*

FEB 13 2006

Inmate Grievance Chairperson_____
Date

what do you want?

FORM #584

GRIEVANCE FORM

FACILITY: D.C.C. DATE: 3/29/06
 GRIEVANT'S NAME: ANGELO L. CLARK SBI#: 129209
 CASE#: 31485 TIME OF INCIDENT: 2:30 P.M.
 HOUSING UNIT: Bldg# 17-shu B-L-10

BRIEFLY STATE THE REASON FOR THIS GRIEVANCE. GIVE DATES AND NAMES OF OTHERS INVOLVED IN THE INCIDENT OR ANY WITNESSES.

AT THE ABOVE DATE AND TIME I HAD A 2:30 P.M. LEGAL CALL TO MY ATTORNEY, MICHAEL MODICA, AND IT WAS APPROVED BY 14 CESSNA SHIFT COMMANDER, AND C/O JOE POMELLA TOLD C/O TINA WUS, THAT, THEY WAS SUPPOSED TO TAKE ME TO THE LT'S OFFICE, AND SGT TRAVIS SAID LT HARVEY SAID NO, AND C/O JOE POMELLA SAID THAT HE DIDN'T APPRECIATE THE WAY THEY DONE ME, SO PUT HIM DOWN AS A WITNESS, AND C/O WILLIAM ADAMS SAID THAT HE WOULD BE A WITNESS FOR ME, THE WAY THEY HANDLED MY LEGAL ISSUES, THE WHOLE 8-4-SHIFT IN Bldg# 17-shu

ACTION REQUESTED BY GRIEVANT:

I WISH THAT THE WHOLE 8-4-SHIFT ON 3-29-06 IS DISCIPLINED VERY HARSH AND REPRIMANDED TO THE POINT, WHERE THESE PERPETRATING ACTIONS, FROM THESE STAFF MEMBERS DON'T HAPPEN AGAIN. THIS IS SECOND TIME I HAD TO WRITE LT HARVEY UP IN ANOTHER MANNER SUCH AS THIS LEGAL CALL!

GRIEVANT'S SIGNATURE: Angelo Lu Clark

DATE: 3/29/06

WAS AN INFORMAL RESOLUTION ACCEPTED? _____ (YES) _____ (NO)

(COMPLETE ONLY IF RESOLVED PRIOR TO HEARING)

GRIEVANT'S SIGNATURE: _____ DATE: _____

IF UNRESOLVED, YOU ARE ENTITLED TO A HEARING BY THE RESIDENT GRIEVANCE COMMITTEE.

cc: INSTITUTION FILE
GRIEVANT

RECEIVED

MAR 31 2006

April '97 REV

Inmate Grievance Office

FORM #585

MEDICAL GRIEVANCE

FACILITY:

D.C.C

DATE SUBMITTED:

3-17-06

INMATE'S NAME:

ANGELO LEE CLARK

SBI#:

123209

HOUSING UNIT:

Bldg # 17-B-2-10-CELL

CASE #:

29143SECTION #1

DATE & TIME OF MEDICAL INCIDENT:

IT'S BEEN A ONGOING / SITUATION

TYPE OF MEDICAL PROBLEM:

I'VE STILL BEEN PUTTING SICK CALL SLIPS INTO SICK CALL, AND A COUPLE OF NURSES, THAT I ASK ABOUT SOME OF MY ISSUES THEY KEEP TELLING ME THAT, THEY NEVER RECIEVED ANY SICK-CALL SLIP'S, OFFICER-SERGEANT L. PAOILLA - VELEZ EVEN TURNED IN A COUPLE FOR ME, THATS WHY HE TOLD ME TO USE HIM AS A WITNESS, AS A RESULT I AM STILL GOING THROUGH SOME OF THE SAME SYMPTOMS AN ISSUES IN THE FIRST GRIEVANCE I FILED ON-2-6-06, AND SINCE THAT GRIEVANCE WAS FILED, A GROWTH OF SOMETHING HAS GROWN ON MY RIGHT THIGH ALONG WITH OTHER THINGS

GRIEVANT'S SIGNATURE:

Angelo Lee Clark

DATE:

3-17-06

ACTION REQUESTED BY GRIEVANT:

I'm going to SEND A COPY OF THIS GRIEVANCE - ALONG - WITH - THE ONE DATED - 2-6-06 TO MY ATTORNEY INWHICH HE WILL BE INSTRUCTED TO SEND THEM TO THE NEW'S JOURNAL. THEN I MIGHT GET SOME RELIEF. I WANT SOME ACTION!

DATE RECEIVED BY MEDICAL UNIT: _____

NOTE: EMERGENCY MEDICAL CONDITIONS WILL TAKE PRIORITY. OTHERWISE, MEDICAL GRIEVANCES WILL BE ADDRESSED AT THE WEEKLY MEDICAL COMMITTEE MEETING.

RECEIVED

MAR 20 2006

Inmate Grievance Office

Instructions for Submitting a Regular Grievance

Inmates are required, per DOC Procedure 4.4 [Inmate Grievance Procedure] to attempt to resolve complaints prior to filing a regular grievance. Grievances are to be submitted within seven (7) days from the date of the occurrence or incident or within seven days after the inmate became aware of the incident. The grievance is to be placed in the grievance box located in each housing unit.


Only one issue per grievance form will be addressed. If the grievance is submitted on a weekend or a holiday, it will be received during the next working day.

Return of Unprocessed Grievance

Intake Action: This Grievance Form is being returned to the inmate under the provisions outlined in DOV Procedure 4.4 "Inmate Grievance Procedure" for the following reason(s) :

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- ☐ **Original Grievances must be submitted to the Inmate Grievance Chairperson.** Photocopies are not accepted.
- ☐ **Inquiry on behalf of other inmates.** Inmates cannot submit grievances for other inmates.
- ☐ **Expired Filing period.** Grievance exceeds seven (7) days from date of occurrence.

*YOU NEED TO COMPLETE ACTION REQUESTED
SECTION OF GRIEVANCE FORM CORRECTLY*


Inmate Grievance Chairperson

4-4-06
Date

FORM #585

MEDICAL GRIEVANCE

FACILITY: D.O.C. - D.C.C.
 INMATE'S NAME: ANGELO LEE CLARK
 HOUSING UNIT: Bldg # 23 - C-TIER
upper-4-cell

DATE SUBMITTED: 8/3/06
 SBI#: 123209
 CASE #: _____

RECEIVED

SECTION #1

AUG 16 2006

DATE & TIME OF MEDICAL INCIDENT: 12:10 - P.M. - AFTER LUNCH

Inmate Grievance Office

TYPE OF MEDICAL PROBLEM:

I INMATE ANGELO LEE CLARK WAS APPROACHED BY C/O DARDEN IN REFERENCE TO A STATE WAS MADE BY MENTAL HEALTH WORKER MENT MRS MELISSA GATTIN SHE TOLD C/O DARDEN THAT I GOT TO CLOSE TO HER THATS WHY SHE PUT ME ON PHASE II, AND LIKE I TOLD C/O DARDEN THAT STATEMENT WAS A LIE, BECAUSE I ASKED STAFF LT PRO FACIE COULD SHE DROP MY LEVEL BECAUSE I AM HEARING VOICES, AND I'M ILL STAFF LT TOLD ME I MADE A WAGER ABOUT WHAT I WAS GOING THROUGH WITH MRS GATTIN

GRIEVANT'S SIGNATURE: Angelo ClarkDATE: 8/3/06

MRS GATTIN
 SUPPOSE TO BE A PROFESSIONAL WHAT IS SHE GOING GAMBLING WITH A PATIENT.
 ACTION REQUESTED BY GRIEVANT: WHEN THIS GRIEVANCE IS HEARD I

HAVE C/O WITNESSES, AND I'M GOING TO TELL IT LIKE IT IS AND THE C/O WITNESSES SAID THEY WOULD TO. AND I'M GOING TO KEEP PUSHING THE PEN BECAUSE A

DATE RECEIVED BY MEDICAL UNIT: _____

NOTE: EMERGENCY MEDICAL CONDITIONS WILL TAKE PRIORITY. OTHERWISE, MEDICAL GRIEVANCES WILL BE ADDRESSED AT THE WEEKLY MEDICAL COMMITTEE MEETING.

I DON'T WANT ANY PROBLEMS.

HARD MIND IS HARD TO WASTE!
 WHO KNOWS WHAT SHE WILL DO NEXT.
 I FEAR FOR MY SAFETY.

FORM #584

GRIEVANCE FORM

BL10

FACILITY: D.C.C.DATE: 2-9-06GRIEVANT'S NAME: ANGELO LEE CLARKSBI#: 123209CASE#: 23874TIME OF INCIDENT: FOR PAST TEN DAYSHOUSING UNIT: Bldg #17-Shu-A-1-10th CELL THAT LT. HARVEY HAS WORK

BRIEFLY STATE THE REASON FOR THIS GRIEVANCE. GIVE DATES AND NAMES OF OTHERS INVOLVED IN THE INCIDENT OR ANY WITNESSES.

I INMATE, ANGELO LEE CLARK S.B.I.# 123209 HAS BEEN TRYING DESPERATELY TO CALL MY ATTORNEY OFFICE, IN WHICH WHEN MR. ZANDA! WAS COORDINATOR OVER AT THIS UNIT, THAT I AM BEING HOUSED IN. HE PUT IN A WRITE-ING THAT, CALLING MY ATTORNEY WHEN NEEDED IT WAS VERIFIED, NOW I HAVE TRIED UNSUCCESSFULLY ON NUMEROUS DAYS, AT LEAST 10th TIMES OR MORE I HAVE WRITTEN TO LT. HARVEY OR WHOEVER IN CHARGE AND ALL I'VE BEEN GETTING IS THE RUN AROUND. I HAVE SEVERAL OFFICERS AND COPIES OF LEGAL CALL REQUESTS IF NEEDED, LIKE C/O MINCE AND C/O WOODS OR SGT. WATKINS AND C/O ROSEBERRY TO TIGHTEN

ACTION REQUESTED BY GRIEVANT: I WOULD LIKE FOR THE DEPT TO VINDICATE EVERYONE THAT IS INVOLVED OR REMOVE OUT OF THIS BUILDING, OR ONE AS THIS GRIEVANCE IS HEARD LET ME HAVE MY LEGAL'S WHEN NEEDED, BECAUSE I DO HAVE OTHER LEGAL ISSUES: CALLS

GRIEVANT'S SIGNATURE: Angelo Lee ClarkDATE: 2-9-06

WAS AN INFORMAL RESOLUTION ACCEPTED?

____(YES) ____ (NO)

(COMPLETE ONLY IF RESOLVED PRIOR TO HEARING)

GRIEVANT'S SIGNATURE: _____

DATE: _____

IF UNRESOLVED, YOU ARE ENTITLED TO A HEARING BY THE RESIDENT GRIEVANCE COMMITTEE.

cc: INSTITUTION FILE
GRIEVANT

RECEIVED

FEB 13 2006

FORM #585

MEDICAL GRIEVANCEFACILITY: D.C.C.DATE SUBMITTED: 3/23/06INMATE'S NAME: ANGELO LEE CLARKSBI#: 123209HOUSING UNIT: B1Bq#17-5th-Bk-10CASE #: B1623SECTION #1DATE & TIME OF MEDICAL INCIDENT: 3-21-06

TYPE OF MEDICAL PROBLEM:

I WAS BEING SEEN BY C.M.S-MEDICAL DEPT ON-3-21-06 FOR SICK CALL, AND I WAS COMPLAINING OF A SKIN RASH AND THE LUMPS THAT I HAVE ON THE INSIDE OF MY CHEST, AND I WAS TOLD BY NURSE! TANYA COLLINS THAT AS FOR THE LUMPS IN MY STOMACH, I WOULD BE RECEIVING SOME TYPE OF ULTRA X RAYS SOON FOR THE LUMPS IN MY STOMACH, NOW FOR THE SKIN RASH SHE GAVE ME, SOME SORT OF 'CREAM' - FOR MY SKIN RASH NOW THE CREAM, ATE THE HAIR & SKIN OFF OF THE EFFECTED AREA.

GRIEVANT'S SIGNATURE: Angelo Lee ClarkDATE: 3/23/06

ACTION REQUESTED BY GRIEVANT:

I'll just let my ATTORNEY AND OTHER CONCERNED MEMBERS KNOW WHAT POOR TREATMENT THAT I AM STILL EXPERIENCING! HERE AT D.C.C!

DATE RECEIVED BY MEDICAL UNIT: _____

RECEIVED

NOTE: EMERGENCY MEDICAL CONDITIONS WILL TAKE PRIORITY. OTHERWISE, MEDICAL GRIEVANCES WILL BE ADDRESSED AT THE WEEKLY MEDICAL COMMITTEE MEETING. APR 03 2006

Inmate Grievance Office

Instructions for Submitting a Regular Grievance

Inmates are required, per DOC Procedure 4.4 [Inmate Grievance Procedure] to attempt to resolve complaints prior to filing a regular grievance. Grievances are to be submitted within seven (7) days from the date of the occurrence or incident or within seven days after the inmate became aware of the incident. The grievance is to be placed in the grievance box located in each housing unit.

Only one issue per grievance form will be addressed. If the grievance is submitted on a weekend or a holiday, it will be received during the next working day.

Return of Unprocessed Grievance

Intake Action: This Grievance Form is being returned to the inmate under the provisions outlined in DOV Procedure 4.4 "Inmate Grievance Procedure" for the following reason(s) :

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- ☐ **Disciplinary Action** ☐ **Parole Decision** ☐ **Classification Action**
- ☐ **Request.** Requests are not processed through the grievance procedure. Please correspond with the appropriate Office to secure the information that is requested.
- ☐ **Duplicate Grievance(s).** This issue has been addressed previously in Grievance # _____.
- ☐ **Original Grievances must be submitted to the Inmate Grievance Chairperson.** Photocopies are not accepted.
- ☐ **Inquiry on behalf of other inmates.** Inmates cannot submit grievances for other inmates.
- ☐ **Expired Filing period.** Grievance exceeds seven (7) days from date of occurrence.

*YOU NEED TO COMPLETE ACTION REQUESTED
SECTION OF GRIEVANCE FORM CORRECTLY*


Inmate Grievance Chairperson

4-3-06
Date

FORM #585

MEDICAL GRIEVANCE

FACILITY: D.C.C.
 INMATE'S NAME: ANGELO LEE CLARK
 HOUSING UNIT: Bldg #14 Sha-B-4-10-C20

DATE SUBMITTED: 2-9-06
 SBI#: 123209
 CASE #: _____

SECTION #1

DATE & TIME OF MEDICAL INCIDENT: SINCE 1-6-06 - up til now - 2-9-06

TYPE OF MEDICAL PROBLEM:

I HAVE WRITTEN A COUPLE OF SICK CALL COM-
 PLAINTS, AND I HAVE REPEATEDLY MADE MEDI-
 CAL STAFF HERE AT D.C.C., THAT I AM STILL EX-
 PERIENCING A LOT OF INDIGESTION, AND PAIN FROM
 THE KNOTS THAT I HAVE IN MY STOMACH ON
 LEFT SIDE UPPER AND RIGHT SIDE UNDER MY
 HEART CAGE OR SHOULD I SAY MY HEART BAG,
 NOW DR. KENDALL, ALONG WITH 'R.N.' NURSE GERTER
 CRAWLEY, THEY TOLD ME THAT REGARDLESS OF WHETHER
 THEY HURT OR NOT, DON'T WORRY. THEY'RE JUST CISTS!

GRIEVANT'S SIGNATURE

DATE: 2-9-06

ACTION REQUESTED BY GRIEVANT:

I WOULD LIKE TO SEE THE NURSES THAT
 ARE EMPLOYED HERE AT D.C.C. THEY NEED TO BE VIN-
 DICATED OF THERE NURSING LICENCES AND CAREERS
 FOR THERE NEGLIGENCE, AND NON PROFESSIONAL ETHICS OF THERE ABILITY TO BE A
 NURSE!
 ESPECIALLY NURSE C. NEAL & MISSUL
 IT'S LORRAINE 12-8. DOES HER
 Job PROFESSIONAL
 AND SOME.

DATE RECEIVED BY MEDICAL UNIT: _____

NOTE: EMERGENCY MEDICAL CONDITIONS WILL TAKE PRIORITY. OTHERWISE, MEDICAL
 GRIEVANCES WILL BE ADDRESSED AT THE WEEKLY MEDICAL COMMITTEE MEETING.

FORM #584

C44

GRIEVANCE FORM

FACILITY: D.C.C. DATE: 6/30/06
 GRIEVANT'S NAME: Angelo L Clark SBI#: 123209
 CASE#: 55543 TIME OF INCIDENT: 7:00-P.M.
 HOUSING UNIT: Bldg #23-c-upper-6

BRIEFLY STATE THE REASON FOR THIS GRIEVANCE. GIVE DATES AND NAMES OF OTHERS INVOLVED IN THE INCIDENT OR ANY WITNESSES.

I INMATE ANGELO LEE CLARK, RECIEVED MY P.M
MEDS BY NURSE GUANNIE NEAL, AND SHE GAVE ME
Twice, THE AMOUNT OF BLOOD PRESSURE AND HEART
MEDICINE, TO KILL A HORSE THIS IS NOT THE FIRST
TIME MO REGGIE WHITE SLAMMED THE DOOR IN
MY FACE AND SAID THEY HAD TO GO WITH OUT
INVESTIGATING THE COMPLAINT.

ACTION REQUESTED BY GRIEVANT: I Thught That WAS VERY UN-
PROFESSIONAL, I WOULD LIKE FOR HIM TO BE REPRE-
MANDED. I FEAR FOR MY LIFE.

GRIEVANT'S SIGNATURE: Angelo L Clark DATE: 6/30/06

WAS AN INFORMAL RESOLUTION ACCEPTED? ☐ (YES) ☐ (NO)

(COMPLETE ONLY IF RESOLVED PRIOR TO HEARING)

GRIEVANT'S SIGNATURE: _____ DATE: _____

IF UNRESOLVED, YOU ARE ENTITLED TO A HEARING BY THE RESIDENT GRIEVANCE COMMITTEE.

cc: INSTITUTION FILE
 GRIEVANT

RECEIVED

JUL 05 2006

April '97 REV

Inmate Grievance Office

FORM #585

MEDICAL GRIEVANCEFACILITY: D.C.C.DATE SUBMITTED: 9.1.06INMATE'S NAME: Angela Lee ClarkSBI#: 123209HOUSING UNIT: Bldg. #23 C.W. 4

CASE #: _____

SECTION #1

DATE & TIME OF MEDICAL INCIDENT: 6:25 P.M.

TYPE OF MEDICAL PROBLEM:

Inmate Angela Lee Clark was given my P.M. meds. by a unknown nurse who was dispensing me my P.M. meds. on 9.1.06 on C. tier and i made her aware that I'm suppose to get blood pressure checks every day For a week, Per order Dr. nurse Practitioner Ms. Abba and yesterday 'Stacia' and 'Cheryl' nurses who were on duty, told me that 'Becky' would see that my checks would be done. But like i told nurses 'Stacia' know one has taken my blood pressure but her and i told 'Stacia' that Becky is still mad because i wrote her up.

GRIEVANT'S SIGNATURE: Angela Lee ClarkDATE: 9/1/06

ACTION REQUESTED BY GRIEVANT: I would like to see someone Reprimanded, because this is very serious issue's, I could have another heart attack! I've sent a copy to my attorney.

DATE RECEIVED BY MEDICAL UNIT: _____

NOTE: EMERGENCY MEDICAL CONDITIONS WILL TAKE PRIORITY. OTHERWISE, MEDICAL GRIEVANCES WILL BE ADDRESSED AT THE WEEKLY MEDICAL COMMITTEE MEETING.

FORM #585

MEDICAL GRIEVANCE

FACILITY:

D.C.C.

DATE SUBMITTED:

3-17-06

INMATE'S NAME:

ANGELO LEE CLARK

SBI#:

123209

HOUSING UNIT:

Adg # 17-B-L-10-CELL

CASE #:

SECTION #1

DATE & TIME OF MEDICAL INCIDENT:

it's been a ongoing situation

TYPE OF MEDICAL PROBLEM:

I'VE STILL BEEN PUTTING, sick call slips into sick call AND A COUPLE OF NURSES, THAT I ASK ABOUT SOME OF MY ISSUES THEY KEEP TELLING ME THEY NEVER RECEIVED ANY SICK- CALL SLIPS, C/O L. PADILLA - VELEZ EVEN TURNED IN A COUPLE FOR ME, THAT'S WHY HE TOLD ME TO PUT HIM DOWN AS A WITNESS, AS A RESULT I AM STILL GOING THROUGH THE SAME SYMPTOMS AS THE FIRST GRIEVANCE I WROTE ON - 2-6-06 AND SINCE THEN SOMETHING IS EATING MY FLESH ON MY HANDS, FEET & RIGHT THIGH - A GROWTH - OR SOMETHING

GRIEVANT'S SIGNATURE:

Angelo Lee Clark

DATE:

3/17/06

ACTION REQUESTED BY GRIEVANT:

BEING THAT I CANNOT GET ANY REMEDIES, AS FAR AS RELIEF FOR MYSELF FROM C.M.S MEDICAL DEPT. I'M GOING SEND A COPY TO MY ATTORNEY AND THEN LET HIM GO FROM THERE.

DATE RECEIVED BY MEDICAL UNIT:

NOTE: EMERGENCY MEDICAL CONDITIONS WILL TAKE PRIORITY. OTHERWISE, MEDICAL GRIEVANCES WILL BE ADDRESSED AT THE WEEKLY MEDICAL COMMITTEE MEETING.

MEDICAL GRIEVANCE

FACILITY: D.C.C. DATE SUBMITTED: 2-6-06
INMATE'S NAME: Angelo Lee Clark SBI#: 123209
HOUSING UNIT: Bldg #17 - 5Ha - B-K-10 cell CASE #: _____

SECTION #1

DATE & TIME OF MEDICAL INCIDENT: 2-6-06

TYPE OF MEDICAL PROBLEM:

I INMATE, ANGELO LEE CLARK, STARTED HAVING CHEST PAINS, AND ALL AT THE SAME TIME MY HEAD, STARTED WITH SUCH PAIN THAT I THOUGHT MY HEAD WAS GOING TO BLOW UP, AND IT. THE CHEST PAIN AND HEAD WAS GOING ON FOR SEVERAL HOURS, AND GUANNIE CAME ON AT 4:00 P.M. I TOLD HER HOW I WAS FEELING AND AT THE SAME TIME ASKED HER WHERE IS MY MEDICAL, AND INCIDENT REPORT PAPERS WERE AT, AND SHE TOLD ME I HAD TO WAIT, SO I RETURNED MY MEDICALS. (Angelo Lee Clark) DATE: 2-6-06

ACTION REQUESTED BY GRIEVANT:

PERSONALLY I FEEL AS THOUGH THE NURSES THAT WORK FOR C.M.S. THE MEDICAL PROVIDER, ARE TRYING TO POISON ME. AND I FEAR FOR MY LIFE. I'M GOING TO SEND A COPY TO LAWYER, AND RUTH ANN MINNERY, AND BUREAU CHIEF.

DATE RECEIVED BY MEDICAL UNIT: _____

NOTE: EMERGENCY MEDICAL CONDITIONS WILL TAKE PRIORITY. OTHERWISE, MEDICAL GRIEVANCES WILL BE ADDRESSED AT THE WEEKLY MEDICAL COMMITTEE MEETING.

RECEIVED

FEB 13 2006

Inmate Grievance Office

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- ☐ **Disciplinary Action** ☐ **Parole Decision** ☐ **Classification Action**
- ☐ **Request.** Requests are not processed through the grievance procedure. Please correspond with the appropriate Office to secure the information that is requested.
- ☐ **Duplicate Grievance(s).** This issue has been addressed previously in Grievance # _____.
- ☐ **Original Grievances must be submitted to the Inmate Grievance Chairperson.** Photocopies are not accepted.
- ☐ **Inquiry on behalf of other inmates.** Inmates cannot submit grievances for other inmates.
- ☐ **Expired Filing period.** Grievance exceeds seven (7) days from date of occurrence.

*you have not made a request.
you have use the action requested
area to continue your statement*

FEB 13 2006

Inmate Grievance Chairperson

Date

what do you want?

FORM #585

MEDICAL GRIEVANCE

FACILITY: D.C.C.DATE SUBMITTED: 4/1/06INMATE'S NAME: ANGELO LEE CLARKSBI#: 123209HOUSING UNIT: Bldg #17-sha B-L-10CASE #: 33329

SEND TO MS MAIL S. ELLER NURSING DIRECTOR!

SECTION #1

DATE & TIME OF MEDICAL INCIDENT: IT'S BEEN AN
ONGOING SITUATION

TYPE OF MEDICAL PROBLEM:

ON-3-31-06, I INMATE ANGELO LEE CLARK SEEN DR. ROGER'S, ABOUT THE KNOTS I HAVE IN MY STOMACH AND I THINK SHE DOESN'T REALIZE, ~~AND~~ I HAVE SEVERE PAIN WHEN I EAT-AND DRINK A LOT OF FLUIDS, NOW I WOULD LIKE FOR THIS 'GRIEVANCE' TO GO DIRECTLY STRAIGHT TO MS 'GAIL ELLER'S' DESK DIRECTOR OF NURSING BECAUSE THE PAIN I HAVE BEEN BEARING IS VERY HARD TO BEAR SOMETIMES, AND WHEN DR. ROGER'S EXAMINED ME SHE SAID THAT I ONLY HAD ONE KNOT, BELIEVE ME IT'S MORE KNOTS.

GRIEVANT'S SIGNATURE: Angelo Lee ClarkDATE: 4/1/06

ACTION REQUESTED BY GRIEVANT:

IT SEEMS LIKE I'M NOT GOING TO GET ANY RELIEF, SO I'M GOING TO SEND A COPY TO MY ATTORNEY AND THE NEWS JOURNAL, THE WAY C.M.S MEDICAL SYSTEM IS TREATING MEDICAL ISSUES IS VERY NON PROFESSIONAL!

DATE RECEIVED BY MEDICAL UNIT: _____

RECEIVED

APR 11 2006

NOTE: EMERGENCY MEDICAL CONDITIONS WILL TAKE PRIORITY. OTHERWISE, MEDICAL GRIEVANCES WILL BE ADDRESSED AT THE WEEKLY MEDICAL COMMITTEE MEETING.

Inmate Grievance Office

FORM #585

MEDICAL GRIEVANCE

FACILITY: D.C.C. DATE SUBMITTED: 4-16-06
 INMATE'S NAME: ANGELO LEE CLARK SBI#: 123209
 HOUSING UNIT: Bldg #17-shu-B-L-10 CASE #: _____

SECTION #1

DATE & TIME OF MEDICAL INCIDENT: AN ONGOING SITUATION
 TYPE OF MEDICAL PROBLEM:

ON-3-31-06, I WAS SEEN BY DOCTOR ROGER'S FOR THE KNOTS THAT I HAVE IN MY STOMACH, AND SHE EXAMINED ME AND SHE FELT ONE OF THE KNOTS THAT I HAVE IN MY STOMACH, BUT JUST LIKE I EXPLAINED TO HER THE KNOTS GIVE ME PAIN WHEN I EAT LAUGH, OR BEND OVER A CERTAIN WAY AS THOUGH, SOMETHING IS TERRING IN MY STOMACH, WHERE THE KNOTS ARE!

GRIEVANT'S SIGNATURE: Angelo Lee Clark DATE: 4/16/06

ACTION REQUESTED BY GRIEVANT: IT'S BEEN AN ONGOING SITUATION WITH C.M.S. MEDICAL STAFF, IT'S LIKE THEY DON'T EVEN CARE! SO I'M GOING TO SEND A COPY TO MY ATTORNEY AND NEWS JOURNAL.

DATE RECEIVED BY MEDICAL UNIT: _____

RECEIVED

APR 17 2006

NOTE: EMERGENCY MEDICAL CONDITIONS WILL TAKE PRIORITY. OTHERWISE, MEDICAL GRIEVANCES WILL BE ADDRESSED AT THE WEEKLY MEDICAL COMMITTEE MEETING. Inmate Grievance Office

Instructions for Submitting a Regular Grievance

Inmates are required, per DOC Procedure 4.4 [Inmate Grievance Procedure] to attempt to resolve complaints prior to filing a regular grievance. Grievances are to be submitted within seven (7) days from the date of the occurrence or incident or within seven days after the inmate became aware of the incident. The grievance is to be placed in the grievance box located in each housing unit.

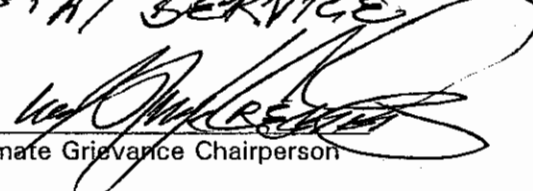
Only one issue per grievance form will be addressed. If the grievance is submitted on a weekend or a holiday, it will be received during the next working day.

Return of Unprocessed Grievance

Intake Action: This Grievance Form is being returned to the inmate under the provisions outlined in DOV Procedure 4.4 "Inmate Grievance Procedure" for the following reason(s) :

- ☐ **Vulgar/Abusive or Threatening Language.** The Language that is unacceptable has been highlighted. The grievance may be resubmitted omitting this language.
- ☐ **Non-Grievable.** This issue has been defined as non-grievable in accordance with DOC Policy 4.4. These procedures have their own appeal process that must be followed.
- ☐ **Disciplinary Action** ☐ **Parole Decision** ☐ **Classification Action**
- ☒ **Request.** Requests are not processed through the grievance procedure. Please correspond with the appropriate Office to secure the information that is requested.
- ☐ **Duplicate Grievance(s).** This issue has been addressed previously in Grievance # _____.
- ☐ **Original Grievances must be submitted to the Inmate Grievance Chairperson.** Photocopies are not accepted.
- ☐ **Inquiry on behalf of other inmates.** Inmates cannot submit grievances for other inmates.
- ☐ **Expired Filing period.** Grievance exceeds seven (7) days from date of occurrence.

YOU WERE SEEN BY A DOCTOR. IF YOU ARE IN DISAGREEMENT OF THE DIAGNOSIS YOU MAY WRITE NURSE ELLER, DIRECTOR OF NURSING YOURSELF. IGC IS NOT A POSTAL SERVICE.


Inmate Grievance Chairperson

4-23-06
Date

FORM #585

MEDICAL GRIEVANCE

FACILITY: D.C.C.
 INMATE'S NAME: ANGELO LEE CLARK
 HOUSING UNIT: Bldg #17-sha-B-L-10

DATE SUBMITTED: 4-16-06
 SBI#: 123109
 CASE #: _____

SECTION #1

DATE & TIME OF MEDICAL INCIDENT: it's A ONGOING
SITUATION

TYPE OF MEDICAL PROBLEM:

ON 3-31-06 I WAS SEEN BY DOCTOR ROGER'S FOR THE KNOTS THAT I HAVE IN MY STOMACH, AND SHE EXAMINED ME AND SHE FELT ONE OF THE KNOTS THAT I HAVE IN MY ~~STOMACH~~ STOMACH, BUT JUST LIKE I EXPLAINED TO HER THE KNOTS GIVE ME PAIN WHEN I EAT, LAUGH, OR BEND OVER A CERTAIN WAY IT SEEMS AS THOUGH SOMETHING IS TERRING IN MY STOMACH, WHERE THE KNOTS ARE!

GRIEVANT'S SIGNATURE:

Angelo Lee Clark

DATE:

4/16/06

ACTION REQUESTED BY GRIEVANT:

IT'S BEEN A ONGOING SITUATION WITH C.M.S. MEDICAL STAFF, ITS LIKE THEY DONT EVEN CARE! SO I'M GOING TO SEND A COPY TO MY ATTORNEY AND NEWS JOURNAL.

DATE RECEIVED BY MEDICAL UNIT: _____

NOTE: EMERGENCY MEDICAL CONDITIONS WILL TAKE PRIORITY. OTHERWISE, MEDICAL GRIEVANCES WILL BE ADDRESSED AT THE WEEKLY MEDICAL COMMITTEE MEETING.

FORM #585

MEDICAL GRIEVANCEFACILITY: D.C.C.DATE SUBMITTED: 6/30/06INMATE'S NAME: Angelo Lee ClarkSBI#: 123209HOUSING UNIT: Bldg. # 23C-u-4

CASE #: _____

SECTION #1DATE & TIME OF MEDICAL INCIDENT: 7:00 - P.M.

TYPE OF MEDICAL PROBLEM:

Nurse (Quannie Neal was dispensing Med's on c-pod chronic care unit and she gave me too much Blood Pressure Med's to kill a horse. She did the same thing Tuesday evening and I consulted Mr. Finney and he told me the problem was resolved. I told nurse Becky about Quannie Neal inadequate behavior. C/O Reggie White slammed the cell door in my face, told me they were in a hurry

GRIEVANT'S SIGNATURE: Angelo Lee ClarkDATE: 6/30/06

ACTION REQUESTED BY GRIEVANT: Ms. Neal was very unprofessional and so was C/O Reggie White they both need to be reprimanded! I FEAR FOR my LIFE.

DATE RECEIVED BY MEDICAL UNIT: _____

NOTE: EMERGENCY MEDICAL CONDITIONS WILL TAKE PRIORITY. OTHERWISE, MEDICAL GRIEVANCES WILL BE ADDRESSED AT THE WEEKLY MEDICAL COMMITTEE MEETING.

FORM #584

GRIEVANCE FORM

FACILITY: D.C.C. DATE: 6/30/06
 GRIEVANT'S NAME: Angela L. Clark SBI#: 123209
 CASE#: _____ TIME OF INCIDENT: 7:00 - P.M.
 HOUSING UNIT: Bldg. 23 C.W. 4

BRIEFLY STATE THE REASON FOR THIS GRIEVANCE. GIVE DATES AND NAMES OF OTHERS INVOLVED IN THE INCIDENT OR ANY WITNESSES.

I recieved my evening Meds.
by Nurse Quannie Neal and she gave me
2 times the amount of Blood pressure
Heart medicine to Kill a horse, now
this is a habit it seems a pattern
with Nurse Quannie and c/o Reggie
White slamming my cell door
so hard it almost hit my hand
he c/o. White told me they were
in a hurry.

ACTION REQUESTED BY GRIEVANT:

They both need to
be penalized and reprimanded
for their unprofessional
conduct. I FEAR FOR MY LIFE.

GRIEVANT'S SIGNATURE:

Angela L. Clark DATE: 6-30-06

WAS AN INFORMAL RESOLUTION ACCEPTED?

____ (YES) ____ (NO)

(COMPLETE ONLY IF RESOLVED PRIOR TO HEARING)

GRIEVANT'S SIGNATURE: _____

DATE: _____

IF UNRESOLVED, YOU ARE ENTITLED TO A HEARING BY THE RESIDENT GRIEVANCE COMMITTEE.

cc: INSTITUTION FILE
 GRIEVANT

FORM #585

MEDICAL GRIEVANCEFACILITY: D.C.C.DATE SUBMITTED: 2-9-06INMATE'S NAME: ANGELO LEE MARKSBI#: 123209HOUSING UNIT: Bldg # 17-54-B-10-0011CASE #: 23846SECTION #1DATE & TIME OF MEDICAL INCIDENT: SINCE - 2-6-06 - uptil - NOW - 2-9-06

TYPE OF MEDICAL PROBLEM:

I HAVE WRITTEN A COUPLE OF SICK CALL COMPLAINTS AND I HAVE REPEATEDLY MADE MEDICAL STAFF HERE AT D.C.C. THAT I AM STILL EXPERIENCING A LOT OF INDIGESTION AND PAIN FROM THE 'KNOTS' THAT I HAVE IN MY STOMACH ON LEFT SIDE UPPER, AND RIGHT SIDE LOWER HEART CASE OR SHOULD I SAY MY HEART BAG, NOW DR. KENDALL (A LONG-WITH NURSE GERDER CRAWLEY) SAID THAT REGARDLESS OF WHETHER THEY HURT OR NOT, DON'T WORRY THEY'RE JUST CISTS!

GRIEVANT'S SIGNATURE: Angelo Lee MarkDATE: 2-9-06

ACTION REQUESTED BY GRIEVANT: I would like to see the nurses that are employed here at D.C.C. vindicated of their careers for their negligence and wrong doing of me and other inmates especially nurses GARRIE NEAL & MISSY AND all of them except MS LORRAINE! 12-8

DATE RECEIVED BY MEDICAL UNIT: _____

RECEIVED

NOTE: EMERGENCY MEDICAL CONDITIONS WILL TAKE PRIORITY. OTHERWISE, MEDICAL GRIEVANCES WILL BE ADDRESSED AT THE WEEKLY MEDICAL COMMITTEE MEETING.

FEB 13 2006

Inmate Grievance Office

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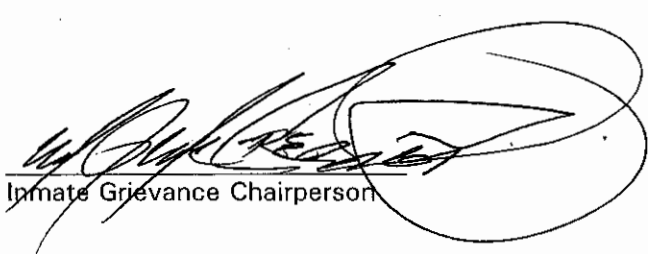
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Return of Unprocessed Grievance

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- ☐ **Non-Grievable.** This issue has been defined as non-grievable in accordance with DOC Policy 4.4. These procedures have their own appeal process that must be followed.
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- ☐ **Request.** Requests are not processed through the grievance procedure. Please correspond with the appropriate Office to secure the information that is requested.
- ☐ **Duplicate Grievance(s).** This issue has been addressed previously in Grievance # _____.
- ☐ **Original Grievances must be submitted to the Inmate Grievance Chairperson.** Photocopies are not accepted.
- ☒ **Inquiry on behalf of other inmates.** Inmates cannot submit grievances for other inmates.
- ☐ **Expired Filing period.** Grievance exceeds seven (7) days from date of occurrence.

Inmate cannot request staff discipline


Inmate Grievance Chairperson

Date

Westlaw.

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Law Library

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P

Briefs and Other Related Documents

Supreme Court of the United States
 W. J. ESTELLE, Jr., Director, Texas Department of
 Corrections, et al., Petitioners,
 v.
 J. W. GAMBLE.
 No. 75-929.

Argued Oct. 5, 1976.

Decided Nov. 30, 1976.

Rehearing Denied Jan. 17, 1977. See 429 U.S. 1066,
 97 S.Ct. 798.

State prisoner filed a pro se complaint against various prison officials under civil rights statute for failure to provide adequate medical care. The United States District Court for the Southern District of Texas, at Houston, dismissed the cause and the prisoner appealed. The United States Court of Appeals for the Fifth Circuit, 516 F.2d 937, reversed and remanded, and denied rehearing en banc, 521 F.2d 815. Certiorari was granted. The Supreme Court, Mr. Justice Marshall, J., held, inter alia, that while deliberate indifference to prisoner's serious illness or injury constitutes cruel and unusual punishment in violation of Eighth Amendment, prisoner's pro se complaint showing that he had been seen and treated by medical personnel on 17 occasions within three-month period was insufficient to state a cause of action against physician both in his capacity as treating physician and as medical director of the corrections department, but case would be remanded to consider whether a cause of action was stated against other prison officials.

Reversed and remanded.

Mr. Justice Blackmun concurred in the judgment.

Mr. Justice Stevens filed a dissenting opinion.

West Headnotes

[1] Federal Courts 170B 460.1170B Federal Courts170BVII Supreme Court

170BVII(B) Review of Decisions of Courts of Appeals

170Bk460 Review on Certiorari170Bk460.1 k. In General. Most CitedCases

(Formerly 170Bk460, 30k919)

Since prisoner's civil rights complaint was dismissed for failure to state a claim, Supreme Court must take as true its handwritten, pro se allegations. 42 U.S.C.A. § 1983.

[2] Sentencing and Punishment 350H 1431350H Sentencing and Punishment350HVII Cruel and Unusual Punishment in General350HVII(A) In General

350Hk1431 k. Purpose of Prohibition. Most Cited Cases

(Formerly 110k1213.1, 110k1213)

Primary concern of drafter of constitutional prohibition against cruel and unusual punishment was to proscribe torture and other barbarous methods of punishment; amendment proscribes more than physically barbarous punishments and embodies broad and idealistic concepts of dignity, civilized standards, humanity and decency against which court must evaluate penal measures. U.S.C.A.Const. Amend. 8.

[3] Sentencing and Punishment 350H 1435350H Sentencing and Punishment350HVII Cruel and Unusual Punishment in General350HVII(A) In General350Hk1434 Scope of Prohibition350Hk1435 k. In General. Most CitedCases

(Formerly 110k1213.1, 110k1213)

Punishments which are incompatible with evolving standards of decency that mark progress of maturing society or which involve unnecessary or wanton infliction of pain are repugnant to Eighth Amendment. U.S.C.A.Const. Amend. 8.

[4] Sentencing and Punishment 350H 1482350H Sentencing and Punishment350HVII Cruel and Unusual Punishment in General

350HVII(E) Excessiveness and Proportionality of Sentence

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'repugnant to the conscience of mankind,' " *id.*, at 471, 67 S.Ct. at 380, quoting *Palko v. Connecticut*, 302 U.S. 319, 323, 58 S.Ct. 149, 150, 82 L.Ed. 288 (1937).^{FN13}

FN13. He noted, however, that "a series of abortive attempts" or "a single, cruelly willful attempt" would present a different case. 329 U.S., at 471, 67 S.Ct., at 380.

X [10][11][12] Similarly, in the medical context, an inadvertent failure to provide adequate medical care cannot be said to constitute "an unnecessary and wanton infliction of pain" or to be *106 "repugnant to the conscience of mankind." Thus, a complaint that a physician has been negligent in diagnosing or treating a medical condition does not state a valid claim of medical mistreatment under the Eighth Amendment. Medical malpractice does not become a constitutional violation merely because the victim is a prisoner. In order to state a cognizable claim, a prisoner must allege acts or omissions sufficiently harmful to evidence deliberate indifference to serious medical needs. It is only such indifference that can offend "evolving standards of decency" in violation of the Eighth Amendment.^{FN14}

MY EIGHTH AMENDMENT WAS VIOLATED OVER, AND OVER AGAIN WHEN THE MEDICAL DEPT. PARTMENT KNOW THAT I AM BIPOLAR & MANIC AND SOMEWHAT SCHIZOPHRENIC ISSUES, WHEN NOT PROPERLY MEDICATED.

AND I'VE BEEN TELLING THESE PSYCHIATRIST FOR THE MED SYSTEM FOR THE DEPT. OF D.C.C. I HAVE SPECIAL NEEDS WHY AM I BEING VICTIMIZED, AND PUNISHED BECAUSE I HAVE A TREATABLE ILLNESS, IN WHICH.

[13] Against this backdrop, we now consider whether respondent's complaint states a cognizable s 1983 claim. The handwritten pro se document is to be liberally construed. As the Court unanimously held in *Haines v. Kerner*, 404 U.S. 519, 92 S.Ct. 594, 30 L.Ed.2d 652 (1972), a pro se complaint, "however inartfully pleaded," must be held to "less stringent standards than formal pleadings drafted by lawyers" and can only be dismissed for failure to state a claim if it appears "beyond doubt that the plaintiff can prove no set of facts in support of his claim which would entitle him to relief." *Id.*, at 520-521, 92 S.Ct. at 596, quoting *Conley v. Gibson*, 355 U.S. 41, 45-46, 78 S.Ct. 99, 2 L.Ed.2d 80 (1957).

[14] *107 Even applying these liberal standards, however, Gamble's claims against Dr. Gray, both in his capacity as treating physician and as medical director of the Corrections Department, are not cognizable under s 1983. Gamble was seen by medical personnel on 17 occasions spanning a 3-month period: by Dr. Astone five times; by Dr. Gray twice; by Dr. Heaton three times; by an unidentified doctor and inmate nurse on the day of the injury; and by medical assistant Blunt six times. They treated his back injury, high blood pressure, and heart problems. Gamble has disclaimed any objection to the treatment provided for his high blood pressure and his heart problem; his complaint is "based solely on the lack of diagnosis and inadequate treatment of his back injury." Response to Pet. for Cert. 4; see also Brief for Respondent at 19. The doctors diagnosed his injury as a lower back strain and treated it with bed rest, muscle relaxants and pain relievers. Respondent contends that more should have been done by way of diagnosis and treatment, and **293 suggests a number of options that were not pursued. *Id.*, at 17, 19. The Court of Appeals agreed, stating: "Certainly an x-ray of (Gamble's) lower back might have been in order and other tests conducted that would have led to appropriate diagnosis and treatment for the daily pain and suffering he was experiencing." 516 F.2d, at 941. But the question whether an X-ray or additional diagnostic techniques or forms of treatment is indicated is a classic example of a matter for medical judgment. A medical decision not to order an X-ray, or like measures, does not represent cruel and unusual punishment. At most it is medical malpractice, and as such the proper forum is the state court under the Texas Tort Claims Act.^{FN15} The Court of Appeals was in error in holding that the alleged insufficiency of the *108 medical treatment required reversal and remand. That portion of the judgment of the District Court should have been

III

BECAUSE I HAVE A TREATABLE ILLNESS, IN WHICH. INSTEAD OF GIVING ME TREATMENT THEY PUNISH ME

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(Cite as: 429 U.S. 97, 97 S.Ct. 285)

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U.S.C.A.Const. Amend. 8; 42 U.S.C.A. § 1983.

(Formerly 170Ak656)

[11] Civil Rights 78 1395(7)

78 Civil Rights

78III Federal Remedies in General

78k1392 Pleading

78k1395 Particular Causes of Action

78k1395(7) k. Prisons and Jails;
Probation and Parole. Most Cited Cases
(Formerly 78k235(7), 78k13.12(6))

Sentencing and Punishment 350H 1546

350H Sentencing and Punishment

350HVII Cruel and Unusual Punishment in General

350HVII(H) Conditions of Confinement

350Hk1546 k. Medical Care and Treatment.

Most Cited Cases

(Formerly 110k1213.10(3), 110k1213)

Complaint that physician has been negligent in diagnosing or treating medical condition of prisoner does not state a valid claim of medical mistreatment under the Eighth Amendment; medical malpractice does not become a constitutional violation merely because victim is a prisoner. U.S.C.A.Const. Amend. 8; 42 U.S.C.A. § 1983.

[12] Civil Rights 78 1091

78 Civil Rights

78I Rights Protected and Discrimination Prohibited in General

78k1089 Prisons

78k1091 k. Medical Care and Treatment.

Most Cited Cases

(Formerly 78k135, 78k13.12(6))

In order to state a cognizable claim under civil rights statute because of inadequate medical care, prisoner must allege acts or omissions sufficiently harmful to evidence deliberate indifference to serious medical needs. U.S.C.A.Const. Amend. 8; 42 U.S.C.A. § 1983.

AND I DO NEED SERIOUS MEDICAL NEEDS, MENTALLY AND ALSO PHYSICALLY!

[13] Federal Civil Procedure 170A 657.5(3)

170A Federal Civil Procedure

170AVII Pleadings and Motions

170AVII(A) Pleadings in General

170Ak654 Construction

170Ak657.5 Pro Se or Lay Pleadings

170Ak657.5(3) k.

Prisoners'
Pleadings. Most Cited Cases

Federal Civil Procedure 170A 1788.6

170A Federal Civil Procedure

170AXI Dismissal

170AXI(B) Involuntary Dismissal

170AXI(B)4 Particular Actions,

Insufficiency of Pleadings in

170Ak1788.5 Civil Rights Actions

170Ak1788.6 k. In General. Most

Cited Cases

(Formerly 170Ak1788.5)

Handwritten pro se civil rights complaint of prisoner was to be liberally construed and must be held to less stringent standards than formal pleadings by lawyer, and complaint could be dismissed for failure to state a claim only if it appeared beyond doubt that plaintiff could prove no set of facts in support of claim which would entitle him to relief.

[14] Civil Rights 78 1395(7)

78 Civil Rights

78III Federal Remedies in General

78k1392 Pleading

78k1395 Particular Causes of Action

78k1395(7) k. Prisons and Jails;

Probation and Parole. Most Cited Cases

(Formerly 78k235(7), 78k13.12(6))

Complaint of prisoner alleging inadequate medical care but showing that he was seen by medical personnel on 17 occasions in a three-month period during which he was treated for his back injury, high blood pressure and heart problem and merely contending that more should have been done by the way of diagnosis and treatment failed to state cause of action against physician in his capacity either as treating physician or as medical director of corrections department, although case was remanded to determine whether cause of action had been stated against other prison officials. U.S.C.A.Const. Amend. 8; 42 U.S.C.A. § 1983.

***287 Syllabus^{FN*}*

^{FN*} The syllabus constitutes no part of the opinion of the Court but has been prepared by the Reporter of Decisions for the convenience of the reader. See United States v. Detroit Timber & Lumber Co., 200 U.S. 321, 337, 26 S.Ct. 282, 287, 50 L.Ed. 499, 505.

^{*97} Respondent state inmate brought this civil rights action under 42 U.S.C. s 1983 against petitioners, the

And what if have been going through is exactly cruel and unusual punishment, along with a touch of mental anguish!

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429 U.S. 97, 97 S.Ct. 285, 50 L.Ed.2d 251

(Cite as: 429 U.S. 97, 97 S.Ct. 285)

FN6. The Eighth Amendment provides:

"Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted."

At oral argument, counsel for respondent agreed that his only claim was based on the Eighth Amendment. Tr. of Oral Arg. 42-43.

[2][3] The history of the constitutional prohibition of "cruel and unusual punishments" has been recounted at length in prior opinions of the Court and need not be repeated here. See, e. g., Gregg v. Georgia, 428 U.S. 153, 169-173, 96 S.Ct. 2909, 2923, 49 L.Ed.2d 859 (1976) (joint opinion of Stewart, Powell, and Stevens, JJ. (hereinafter joint opinion)); see also Granucci, Nor Cruel and Unusual Punishment Inflicted: The Original Meaning, 57 Calif.L.Rev. 839 (1969). It suffices to note that the primary concern of the drafters was to proscribe "torture(s)" and other "barbar(ous)" methods of punishment. Id., at 842. Accordingly, this Court first applied the Eighth Amendment by comparing challenged method of execution to concededly inhuman technique of punishment. See Wilkerson v. Utah, 99 U.S. 136, 25 L.Ed. 345 (1879) ("(I)t is safe to affirm that punishments of torture . . . and all others in the line of unnecessary cruelty, are forbidden by the amendment . . ."); In re Kemmler, 136 U.S. 436, 10 S.Ct. 930, 933, 34 L.Ed. 519 (1891) ("Punishments are cruel when they involve torture leading to death . . .").

[4][5] Our more recent cases, however, have held that the Amendment proscribes more than physically barbarous punishments. See, e. g., Gregg v. Georgia, supra, at 171, 96 S.Ct. at 2924 (joint opinion); Dulles, 356 U.S. 86, 100-101, 78 S.Ct. 590, 598, 2 L.Ed.2d 630 (1958); Weems v. United States, 217 U.S. 349, 373, 30 S.Ct. 544, 551, 54 L.Ed. 793 (1910). The Amendment embodies "broad and idealistic concepts of dignity, civilized standards, humanity, and decency . . ." Jackson v. Bishop, 404 F.2d 571, 579 (C.A.8 1968), against which we must evaluate penal measures. Thus, we have held that punishments which are incompatible with "the evolving standards of decency that mark the progress of a maturing society." Trop v. Dulles, supra, at 101, 78 S.Ct. at 598; see also Gregg v. Georgia, supra, at 172-173, 96 S.Ct. at 2925 (joint opinion); *103 Weems v. United States, supra, 217 U.S. at 378, 30 S.Ct. at 553, or which "involve the unnecessary and wanton infliction of pain," Gregg v. Georgia, supra, at 173, 96 S.Ct. at 2925 (joint opinion); see also Louisiana ex rel. Francis v. Resweber, 329 U.S. 459, 463, 67 S.Ct.

374, 376, 91 L.Ed. 422 (1947); Wilkerson v. Utah, supra, 99 U.S. at 136. FN7

FN7. The Amendment also proscribes punishments grossly disproportionate to the severity of the crime, Gregg v. Georgia, 428 U.S. 153, 173, 96 S.Ct. at 2925 (1976) (joint opinion); Weems v. United States, 217 U.S. 349, 367, 30 S.Ct. 544, 549 (1910), and it imposes substantive limits on what can be made criminal and punished, Robinson v. California, 370 U.S. 660, 82 S.Ct. 1417, 8 L.Ed.2d 758 (1962). Neither of these principles is involved here.

[6][7] These elementary principles establish the government's obligation to provide medical care for the inmate whom it is punishing by incarceration. An inmate must rely on prison authorities to treat his medical needs; if the authorities fail to do so, those needs are not met. In the worst cases, such a failure actually produce physical "torture or a death." In re Kemmler, supra, the evils of capital punishment were of immediate concern to the drafters of the Amendment. In less serious cases, denial of medical care results in pain and suffering which no one could serve any penological purpose. Cf. Gregg v. Georgia, supra, at 173, 96 S.Ct. at 2924-25 (joint opinion). The infliction of such unnecessary punishment is inconsistent with contemporary standards as manifested in modern legislation. FN8 the com**291 mon-law*104 view that the public be required to care for the inmate, who cannot by reason of the deprivation of liberty, care for himself." FN9

FN8. See, e. g., Ala.Code Tit. 45, s 125 (1958); Alaska Stat. s 33.30.050 (1975); Ariz.Rev.Stat. Ann. s 31-201.01 (Supp.1975); Conn.Gen.Stat. Ann. s 18-7 (1975); Ga.Code Ann. s 77-309(e) (1973); Idaho Code s 20-209 (Supp.1976); Ill. Ann. Stat. c. 38, s 103-2 (1970); Ind. Ann. Stat. s 11-1-1.1-30.5 (1973); Kan.Stat. Ann. s 75-4249 (Supp.1975); Md. Ann. Code Art. 27 s 698 (1976); Mass. Ann. Laws. c. 127, s 90A (1974); Mich. Stat. Ann. s 14.84 (1969); Miss. Code Ann. s 47-1-57 (1972); Mo. Ann. Stat. s 221.120 (1962); Neb. Rev. Stat. s 83-181 (1971); N.H. Rev. Stat. Ann. s 619.9 (1974); N.M. Stat. Ann. s 42-2-4 (1972); Tenn. Code Ann. ss 41-318, 41-1115, 41-1226 (1975);

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